

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

PORTLAND GENERAL ELECTRIC  
COMPANY; AVISTA  
CORPORATION; PACIFICORP; and  
PUGET SOUND ENERGY, INC.,

Plaintiffs,

vs.

NORTHWESTERN CORPORATION;  
TALEN MONTANA, LLC; AUSTIN  
KNUDSEN, in his official capacity as  
Attorney General for the State of  
Montana,

Defendants.

CV 21-47-BLG-SPW-KLD

ORDER

This matter has been stayed since May 10, 2022 pursuant to a Notice of Suggestion of Bankruptcy filed by Defendant Talen Montana, LLC (Doc. 178) and the automatic stay provisions of 11 U.S.C. § 362. On August 30, 2022, Plaintiffs Portland General Electric Company, Avista Corporation, PacifiCorp, and Puget Sound Energy, Inc., and Defendant NorthWestern Corporation, filed a Notice to Court on Lifting of Automatic Stay. (Doc. 184). The notice advises that on August 25, 2022, the Bankruptcy Court entered a Stipulation and Order (“Bankruptcy Stipulation”) modifying the automatic stay on the terms set forth therein to permit

this lawsuit and the arbitration to proceed through resolution. (Docs. 184, at 3, 9).

On September 9, 2022, PNW Owners, NorthWestern and Defendant Talen Montana, LLC filed a Stipulation Regarding Arbitration Procedures and Pending Motions (“Stipulation”). (Doc. 189). The parties state that they have stipulated to engage in arbitration pursuant to the Bankruptcy Stipulation and request an order adopting paragraphs 2-7 of the Bankruptcy Stipulation as an order of the Court. (Doc. 189, at 2). The parties also stipulate and agree that the Court will retain supervisory jurisdiction over the arbitration proceedings under the Federal Arbitration Act 9 U.S.C. § 1 et seq. (Doc. 189, at 2). Accordingly, and pursuant to the parties’ Stipulation,

IT IS ORDERED that (1) 2-7 of the Bankruptcy Stipulation are hereby adopted as an order of the Court; and (2) the Court will retain supervisory jurisdiction over the arbitration proceedings under the Federal Arbitration Act.

DATED this 28<sup>th</sup> day of September, 2022.



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Kathleen L. DeSoto  
United States Magistrate Judge